

PATENT COOPERATION TREATY
PCT
INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

REC'D 13 SEP 2005
WIPO PCT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference WJ504966-142	FOR FURTHER ACTION	
	See Form PCT/IPEA/416	
International application No. PCT/NZ2004/000141	International filing date (<i>day/month/year</i>) 2 July 2004	Priority date (<i>day/month/year</i>) 2 July 2003
International Patent Classification (IPC) or national classification and IPC Int. Cl. ⁷ H01M 10/48; H02J 7/00		
<p>Applicant EATON POWER QUALITY LIMITED et al</p>		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of 2 sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)), containing a sequence listing and/or table related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																									
<p>4. This report contains indications relating to the following items:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;"><input checked="" type="checkbox"/></td> <td style="width: 15%;">Box No. I</td> <td style="width: 70%;">Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>		<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input checked="" type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand 5 January 2005	Date of completion of the report 29 August 2005
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer MR KIM WELLENS Telephone No. (02) 6283 2162

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/NZ2004/000141

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

This report is based on translations from the original language into the following language which is the language of a translation furnished for the purposes of:

- international search (under Rules 12.3 and 23.1 (b))
- publication of the international application (under Rule 12.4)
- international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

the international application as originally filed/furnished

the description:

pages 1- 5, 6- 22 as originally filed/furnished

pages* 5a received by this Authority on 15 August 2005 with the letter of 9 August 2005

pages* received by this Authority on with the letter of

the claims:

pages 23- 24 as originally filed/furnished

pages* as amended (together with any statement) under Article 19

pages* 25 received by this Authority on 15 August 2005 with the letter of 9 August 2005

pages* received by this Authority on with the letter of

the drawings:

pages 1- 10 as originally filed/furnished

pages* received by this Authority on with the letter of

pages* received by this Authority on with the letter of

a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. The amendments have resulted in the cancellation of:

- the description, pages
- the claims, Nos.
- the drawings, sheets/figs
- the sequence listing (*specify*):
- any table(s) related to the sequence listing (*specify*):

4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- the description, pages
- the claims, Nos.
- the drawings, sheets/figs
- the sequence listing (*specify*):
- any table(s) related to the sequence listing (*specify*):

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/NZ2004/000141**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims 1- 20	YES
	Claims -	NO
Inventive step (IS)	Claims 1- 20	YES
	Claims -	NO
Industrial applicability (IA)	Claims 1- 20	YES
	Claims -	NO

2. Citations and explanations (Rule 70.7)

D1- US 6532425 B1 (Boost et al.), 11 March 2003

D2- US 2002/0060555 A1 (Finger), 23 May 2002

D3- US 5250904 (Salander et al.), 5 October 1993

D4- Derwent Abstract Accession No. 2001-123577/14 Class S01, CN 1145536 A (Tian J), 19 March 1997

Novelty (N) and Inventive Step (IS) claims 1- 20

The current application relates to methods of, and apparatus for optimising a float charge for a Valve Regulated Lead Acid (VRLA) battery. None of the documents disclose optimising the float charge by determining the parameters associated with the float charge, by the methods disclosed in the current specification. Consequently claims 1- 20 are novel and involve an inventive step.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/NZ2004/000141

Box No. VI Certain documents cited

1. Certain published documents (Rule 70.10)

Application No. <u>Patent No.</u>	Publication date (<i>day/month/year</i>)	Filing date (<i>day/month/year</i>)	Priority date (valid claim) (<i>day/month/year</i>)
P, X US 2003/0210056	13 November 2003	13 May 2003	13 May 2002

This document discloses all of the features of claims 1- 9
See paragraphs 10, 14, 16, 21- 55, 78- 170; Claims 5- 15; Figs 1- 13.

2. Non-written disclosures (Rule 70.9)

Kind of non-written disclosure	Date of non-written disclosure (<i>day/month/year</i>)	Date of written disclosure referring to non-written disclosure (<i>day/month/year</i>)